GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:5368
ANSWERED ON:05.05.2008
DELAY IN CASES OF BSNL/MTNL
Thomas Shri P.C.

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Public Sector Undertakings like Bharat Sanchar Nigam Limited (BSNL) and Mahanagar Telephone Nigam Limited (MTNL) have court cases against them causing hindrances and delays to execute the planned works and schemes in time;

(b) if so, the details thereof;

(c) whether there has any machinery to oversee these cases and efforts to get expeditious disposal of stay orders which cause delays regarding tender and contract of works to be executed in the country;

(d) if so, the details thereof;

(e) the number of major funding cases alongwith the status which have stay orders against BSNL for more than one year in the Country; and

(f) the steps taken/being taken by the Government to solve the problem?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY(SHRI JYOTIRADITYA M. SCINDIA)

(a) Yes, Sir.Some times, court cases are filed against BSNL putting restriction on placement of purchase/work orders.Most of such cases are filed by the suppliers / contractors, who could not win the contract in open transparent tenders invited by BSNL.

As on date, no court is pending in MTNL which is causing hindrances and delays in planned works.

(b) In the past there has been a court case in tender inquiry No.301 for procurement of 2G/3G Combo Network Phase V, filed by M/s Motorola. It delayed the procurement of Mobile equipment by the BSNL. However, the case was subsequently withdrawn by M/s Motorola.

One case, i.e. M/s Tejas Vs BSNL regarding procurement of STM-16 (MADM) is pending before the Hon'ble HC of Delhi, wherein, no stay has yet been granted by the Hon'ble Court.

(c)&(d) BSNL has adequate arrangements in place for handling the court cases through the services of Panel Advocates and Central Government Standing Counsels. Wherever required, Senior Advocates, Solicitor General and Additional Solicitor General are also engaged for defending and contesting the court cases of BSNL.

There is a legal cell in MTNL headed by General Manager (GM) in Delhi and DGM in Mumbai to monitor all court cases and ensure their speedy settlement.

(e) As on date, no such major case having stay orders against the BSNL is pending in the court.

(f) As per (c) and (d) above.